

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
Division of State Parks
Honolulu, Hawaii 96813

December 11, 2009

Board of Land and Natural Resources
State of Hawaii
Honolulu, Hawaii

(Kauai)

Consent to Assign General Lease No. SP-147, Richard Taubman, Workstar Occupation Health Systems, James and Tracy Wise, and Elizabeth Freeman, Assignor, to

Richard J. Taubman, Elizabeth Freeman, James Wise, Tracy Lyman, Workstar Occupational Health Systems, Inc. (by David Scott McCaffrey, its President), and Kauai Kuleana LP (a limited partnership, by its General Partner, Moloa'a Mala LLC, a Hawaii limited liability company, by Kimberly Phillips its Member), Assignee

APPLICANT:

Richard Taubman, Workstar Occupation Health Systems, James and Tracy Wise, and Elizabeth Freeman, Assignor, to Richard J. Taubman, Elizabeth Freeman, James Wise, Tracy Lyman, Workstar Occupational Health Systems, Inc. (by David Scott McCaffrey, its President), and Kauai Kuleana LP (a limited partnership, by its General Partner, Moloa'a Mala LLC, a Hawaii limited liability company, by Kimberly Phillips its Member), Assignee

LEGAL REFERENCE:

Section 171-36(a)(5), Hawaii Revised Statutes, as amended.

LOCATION:

Lot 12, Waimea (Kona), Kauai, Tax Map Key: (4)1-4-003:010, as shown on the attached map labeled Exhibit A.

AREA:

2.0 acres, more or less.

TRUST LAND STATUS:

Section 5(b) lands of the Hawaii Admission Act

DHHL 30% entitlement lands pursuant to the Hawaii State
Constitution: YES _____ NO X

CHARACTER OF USE:

Recreation - residence.

TERM OF LEASE:

20 years, commencing January 1, 2009, and expiring on
December 31, 2029. There is one rental reopening scheduled
after ten years.

ANNUAL RENTAL:

\$5900.00.

CONSIDERATION:

\$0.00.

RECOMMENDED PREMIUM:

None.

DCCA VERIFICATION:

DCCA check shows no negative record.

APPLICANT REQUIREMENTS:

Applicant/assignee shall prepare and submit fully executed
assignment of lease.

REMARKS:

Richard Taubman, Workstar Occupation Health Systems, James
and Tracy Wise, and Elizabeth Freeman held the previous
lease covering the property.

Act 223 (2008) and board action directed staff to negotiate
new leases with existing permit holders so the new lease was
issued to Richard Taubman, Workstar Occupation Health
Systems, James and Tracy Wise, and Elizabeth Freeman who now
wish to assign to Richard J. Taubman, Elizabeth Freeman,

James Wise, Tracy Lyman, Workstar Occupational Health Systems, Inc. (by David Scott McCaffrey, its President), and Kauai Kuleana LP (a limited partnership, by its General Partner, Moloa'a Mala LLC, a Hawaii limited liability company, by Kimberly Phillips its Member).

Lessee is in compliance with all lease terms and conditions. There have been no prior defaults.

Assignee has not had a lease, permit, easement or other disposition of State lands terminated within the last five years due to non-compliance with such terms and conditions.

Rent re-opening is not scheduled until after the first ten years of the lease. There are no outstanding rental reopening issues.

No comments have been received from any agency or the community.

RECOMMENDATION:

That the Board consent to the assignment of General Lease No. SP-147 from Richard Taubman, Workstar Occupation Health Systems, James and Tracy Wise, and Elizabeth Freeman, Assignor, to Richard J. Taubman, Elizabeth Freeman, James Wise, Tracy Lyman, Workstar Occupational Health Systems, Inc. (by David Scott McCaffrey, its President), and Kauai Kuleana LP (a limited partnership, by its General Partner, Moloa'a Mala LLC, a Hawaii limited liability company, by Kimberly Phillips its Member), Assignee, subject to the following:

1. No premium to be charged;
2. The standard terms and conditions of the most current consent to assignment form, as may be amended from time to time;

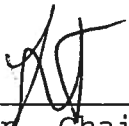
3. Review and approval by the Department of the Attorney General; and
4. Such other terms and conditions as may be prescribed by the Chairperson to best serve the interests of the State.

Respectfully Submitted,

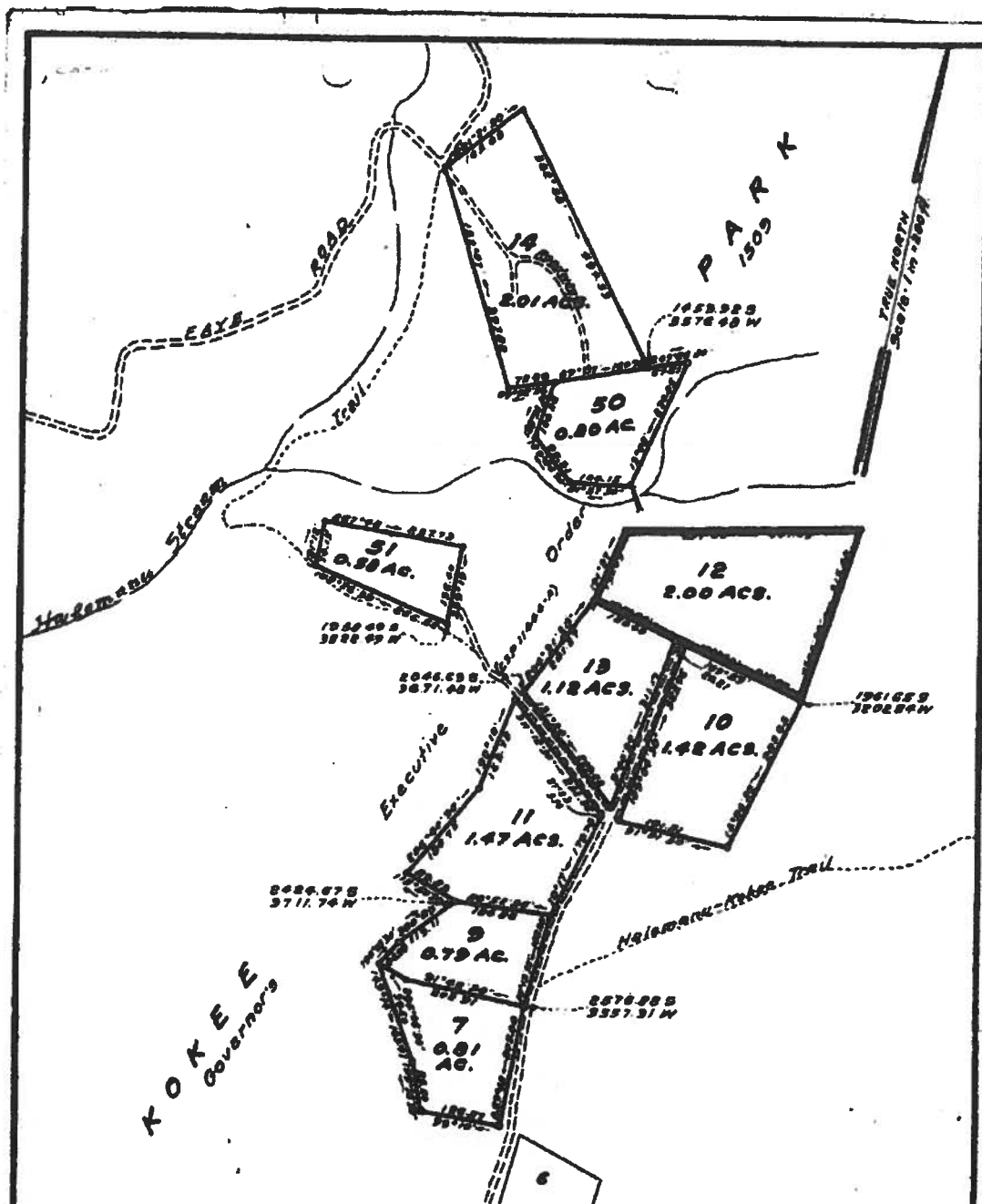


Daniel S. Quinn
State Parks Administrator

APPROVED FOR SUBMITTAL:



Laura H. Thielen, Chairperson



KOKEE CAMP SITE LOTS
LOTS 7, 9, 10, 11, 12, 13, 14, 50 AND 51
 Waimea, (Kona) Kauai, Hawaii.
 Scale: 1 inch = 200 feet

EXHIBIT "A"

JOB K-1666
 C. BK

All corners marked with pipes
 Coordinates referred to Kokee's

TAX MAP 1-4-64
 KAUAI FILE
 EXHIBIT 3

SURVEY DIVISION
 DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES
STATE OF HAWAII

Sheet 3 of 3 Sheets

AT Nov. 2, 1968

RICHARD H. GROVER

Attorney At Law

MEMBER OF HAWAII
BAR SINCE 1989

PACIFIC GUARDIAN CENTER
MAUKA TOWER
737 BISHOP STREET
SUITE 3000
HONOLULU, HAWAII 96813
TELEPHONE (808) 585-8990
FACSIMILE (808) 585-8991

MEMBER OF MICHIGAN
BAR SINCE 1986

Please place following on the
next Agenda.

Thanks,
R.H.

STUB?

D. Scott McCaffrey
2039 St. Louis Drive
Honolulu, HI 96816

July 23, 2009

Department of Land and Natural Resources
State Parks Administrator
PO Box 621
Honolulu, HI 96809

DEPT OF LAND &
NATURAL RESOURCES

09 SEP -3 P 3:35

RECEIVED
STATE PARKS DIV

Attn: Daniel S. Quinn

Re: Kokee Lease No. SP-0147, TMK (4)1-4-003-010, DLNR Lot No. 12

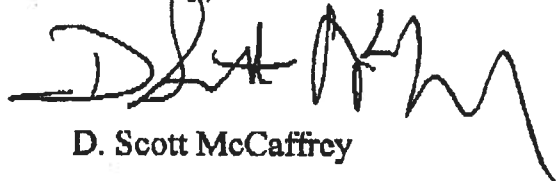
The lessees of the above mentioned lot located in Halemanu Valley, Kaua'i would like to **request addition to the agenda** of the next meeting of the Board of Land and Natural Resources regarding the modification of our lease.

From: Richard J. Taubman, Elizabeth Freeman, James Wise, Tracy Wise, & Workstar Occupational Health Systems, Inc.

To: Richard J. Taubman, Elizabeth Freeman, James Wise, Tracy Lyman, Workstar Occupational Health Systems, Inc. (by David Scott McCaffrey its President), and Kaua'i Kuleana LP, (a limited partnership, By its General Partner, Moloa'a Mala LLC, a Hawaii limited liability company, By Kimberly Phillips its Member).

Thank you. If you need further information please call Scott McCaffrey at (808) 349-9000.

Sincerely,



D. Scott McCaffrey